

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 20-22, 24, and 27-28 are currently pending in the application.

By way of summary, the Official Action presents the following issue: Claims 20-22, 24 and 27-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by Newlin et al. (U.S. 5,877,821, hereinafter Newlin).

The outstanding Official Action asserts that Newlin teaches all the elements recited in independent Claim 20. Applicants respectfully traverse this rejection.

Claim 20 recites, *inter alia*, a control system, comprising:

“...an apparatus to be controlled, which includes an acoustic control signal reception apparatus... and for outputting as a sound wave, said control instruction corresponding to said acoustic control signal;

wherein said apparatus to be controlled is controlled by the outputted control instruction from said acoustic control signal reception apparatus.”

Thus, the present application relates to controlling an apparatus by an outputted control instruction, and the control instruction is in the form of a sound wave.

Newlin describes a multimedia input and control apparatus that allows for multimedia communications, including video conferencing, faxing, data and other communications, and also provides user control functionality.<sup>1</sup> Newlin also describes a multimedia input and control apparatus (300) which includes video input (310) to produce an input video signal; audio input (320) to produce an input audio signal; data/control input (330), which may be a wire line, wireless, infrared (IR) or optical, to provide input of data, control signals, and other multimedia input, such as keyword input or wireless IR input; and data/control output (34), which also may be wire line, wireless, IR or optical, to provide output of data, control signals,

---

<sup>1</sup> Newlin at column 2, lines 56-61.

and other multimedia output, such as wireless IR output.<sup>2</sup> However, at no point does Newlin describe an acoustic control signal transmission apparatus or a device which may be controlled by an acoustic control signal, which is in the form of a sound wave.

Newlin describes that the processor arrangement in his device (143) is provided for the reception or entry of a plurality of control signals, which may include control signals input from a telephone (185) such as off hook, on hook, flash, various DTMF tones, or other programs or programmable control signals, such as control signals input from a personal computer (190). Newlin further describes that the acoustic control signals are received by a processor (143) and processed so that the corresponding control signal can be processed by the processor (143) in the form of a digital control signal.<sup>3</sup> Therefore, the acoustic control signals are received by a processor (143) which issues control commands via digital control signals, but are never output as sound waves by processor (143).<sup>4</sup> Thus, at no point does Newlin teach or suggest “an apparatus to be controlled, which includes an acoustic control signal reception apparatus for receiving said acoustic control signal from said audio control signal transmission apparatus and for outputting as a sound wave, said control instruction corresponding to said acoustic control signal; wherein said apparatus to be controlled is controlled by the outputted control instruction (sound wave) from said acoustic control signal reception apparatus,” as recited in Claim 20. In Newlin, the apparatus to be controlled, which is the processor (143) or any devices connected thereto, does not output the control signal as a sound wave as recited in Claim 20. It receives a control signal in the form of DTMF signals from a telephone, but the acoustic control signals are not reproduced by the processor as a sound wave used to control the device that received the acoustic control signal.

---

<sup>2</sup> Newlin at column 5, lines 17-27.

<sup>3</sup> Id.

<sup>4</sup> Newlin at column 3, lines 50-59.

Accordingly, Applicant respectfully requests that the rejection of Claim 20 under 35 U.S.C. § 102(b) be withdrawn. As Claims 21 and 22 depend from Claim 20 it is respectfully submitted that these claims also patentably define over Newlin.

For substantially the same reasons as given with respect to Claim 20, it is also submitted that Claim 24 also patentably defines over Newlin. As Claims 27 and 28 depend from Claim 24 it is respectfully submitted that these claims also patentably define over Newlin.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 20-22, 24, 27 and 28 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)  
ATH:smi

I:\VATTY\ATH\PROSECUTION\20's\203594-US\203594US-AM2.DOC